

REMARKS

This response is submitted in reply to the Office Action mailed on February 28, 2006. Claims 1-12 and 20-25 are pending in the application. Claims 13-19 were previously withdrawn. Claims 1 and 20 have been amended for clarification purposes only and not for any reasons of patentability. No new matter has been added by any of the amendments made herein.

Claims 1-12 and 20-25 were rejected under 35 U.S.C. § 112, second paragraph, because the patent office states that the limitation “of purchase request to purchase an advertised product generated by the user” is unclear in Claims 1 and 20. Applicants have amended Claims 1 and 20 to clarify these claims and overcome the § 112 rejection.

Claims 1-12 and 20-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,029,141 to Bezos et al. (“*Bezos*”). Applicants respectfully disagree with and traverse this rejection for the following reasons.

Claim 1, as amended, is directed to a method of placing an electronic order from a data processing unit operated by a user in which the user receives a Web page from a hosting Web site during an interactive session between the user’s data processing unit and a hosting server over a computer network. The Web page is displayed on a display unit in communication with the user’s data processing unit where one or more advertised products are displayed to the user. The method includes receiving, at the user’s data processing unit, a purchase request to purchase an advertised product where the purchase request is generated by the user. The user then receives an order form in response to the purchase request. During the above steps, the data processing unit remains connected to the hosting server to continue the interactive session while the user completes the order form. The claimed method is distinguishable from the method described in *Bezos*.

The Patent Office states that *Bezos* discloses all of the elements of the claimed invention and in particular that the data processing unit in *Bezos* “remains connected” to the hosting Web site during an interactive session between the user and the Web site. Specifically, the Patent Office states as follows:

Another alternative is for the associate Web site 100 to be created using an HTML frame format. The bottom frame can be designated as the target area frame for the merchant’s Web site 106. The top frame can provide navigational controls for the customer to return to the associate’s Web site 100 after selection of a particular product at the merchant’s Web site 106. This allows the customer to maintain an associate’s Web page frame while viewing and processing product purchases at the merchant’s Web site 106. (See the Office Action, page 4).

Applicants disagree with the Patent Office’s interpretation that *Bezos* discloses that the data processing unit remains connected with a host Web site as in the claimed invention. *Bezos* discloses that an associate’s Web site 100 can be created using an HTML frame format. In this format, the bottom frame is designated as the target area frame for the merchant’s Web site 106 and the top frame provides navigational controls for returning to the associate’s Web site 100 after selection of a particular product at the merchant’s Web site 106. Thus, in *Bezos*, when the client makes a purchasing request, the client’s data processing unit switches connections from the member’s Web site to the merchant’s Web site through a hyperlink. The client’s computer is, therefore, no longer connected to the associate’s Web page. As evidence of this, and as described above, *Bezos* specifically states that the “top frame can provide navigational controls for the customer to return to the associate’s Web site 100 after selection of a particular product at the merchant’s Web site 106.” (Emphasis added). (Col. 12, lines 35-41). Therefore, although the associate’s Web page frame may be displayed, the user still must use the navigational controls to re-link or re-connect with the associate’s Web site. Accordingly, *Bezos* does not disclose or suggest the subject matter of the claimed invention.

Even if the associate's Web site in *Bezos* is considered to be the same as the hosting server of the claimed invention, the associate's Web site sends the payment information in response to an action by the user. In contrast, the claimed invention includes a data processing unit which produces the order form itself instead of requesting the order form from a server. *Bezos* does not disclose or suggest that the data processing unit provides an order form to the user as admitted by the Patent Office in the Office Action. Furthermore, there is no teaching or suggestion in *Bezos* to teach that the data processing unit provides such an order form.

For at least these reasons, amended claim 1 and amended claim 20, which includes similar elements to amended claim 1, and claims 2-12 and 21-25, which depend from these claims, respectively, are each patentably distinguished over *Bezos* and in condition for allowance.

Claims 6, 7, 21 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bezos* in view of Official Notice. Claims 6 and 7 depend from amended claim 1 and claims 21 and 24 depend from amended claim 20. Therefore, Applicants respectfully submit that claims 6, 7, 21 and 24 are allowable for at least the reasons set forth above with respect to amended claims 1 and 20 because the combination of *Bezos* and the Official Notice does not disclose, teach or suggest the subject matter of claims 6, 7, 21 and 24 in combination with the subject matter of amended claims 1 and 20, respectively. For these reasons, claims 6, 7, 21 and 24 are each patentably distinguished over the combination of *Bezos* and the Official Notice and in condition for allowance.

Claims 3-5, 10, and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bezos* in view of U.S. Publication No. 2002/0007393 to Hamel ("*Hamel*"). Claims 3-5, 10 and 11 depend from amended claim 1. Therefore, Applicants respectfully submit that claims 3-5, 10 and 11 are allowable for at least the reasons set forth above with respect to amended claim 1

because the combination of *Bezos* and *Hamel* fails to disclose, teach or suggest the subject matter of claims 3-5, 10 and 11 in combination with the subject matter of amended claim 1. For these reasons, claims 3-5, 10 and 11 are patentably distinguished over the combination of *Bezos* and *Hamel* and in condition for allowance.

Claims 8 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bezos*. Claims 8 and 9 depend from amended claim 1. Thus, Applicants respectfully submit that claims 8 and 9 are allowable for at least the reasons set forth above with respect to amended claim 1 because *Bezos* does not disclose, teach or suggests the subject matter of claims 8 and 9 in combination with the subject matter of amended claim 1. For these reasons, claims 8 and 9 are each patentably distinguished over *Bezos* and in condition for allowance.

In light of the above, Applicants respectfully submit that Claims 1-12 and 20-25 are patentable and non-obvious over the art of record because the cited art does not disclose, teach or suggest all of the elements of the claimed invention. Accordingly, Applicants respectfully request that Claims 1-12 and 20-25 be deemed allowable at this time and that a timely Notice of Allowance be issued in this case.

No fees are due. If any other fees are due in connection with this application the Patent Office is authorized to deduct the fees from Deposit Account No. 19-1351. If such a withdrawal is made, please indicate the Attorney Docket No. (39992-400800) on the account statement.

Respectfully submitted,

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